

10/11

Notice of Allowability	Application No.	Applicant(s)	
	09/763,439	DE HAAN, WIEBE	
	Examiner	Art Unit	
	Christopher O. Onuaku	2616	

-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE and IDS filed 3/24/05.
2. ☒ The allowed claim(s) is/are 1-12.
3. ☒ The drawings filed on 24 March 2005 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>3/24/05</u> ✓ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance ✓ 9. <input type="checkbox"/> Other _____. |
|---|--|

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 3/24/05 has been entered.

Allowable Subject Matter

2. Claims 1-12 are allowable over the prior art of record.
3. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 1, the invention relates to a method for recording encoded information signals on a novel and inventive format for DVD-Video compatible real-time recording of video streams, intended for home video recording on an optical medium which is playback compatible with DVD-Video.

The closest references Kikuchi et al (US 5,870,523) teach a recording medium on which a data containing navigation data is recorded, a method and apparatus for

Art Unit: 2616

reproducing a data according to the navigation data, Heo (US 6,167,192) teaches a DVD disc, a device and a method for reproducing the same, including an audio private DVD disc, a device and method for reproducing the same, and the reference cited in the IDS filed by the applicant on 3/24/05 after the case had been allowed is an "Information Technology-Generic Coding of Moving Pictures and Associated Audio: Systems", published by Int'l Organization for Standardization, Nov. 1994, ISO/IEC 13818-1, addresses the combining of one or more elementary streams of video and audio, as well as other data, into single or multiple streams which are suitable for storage or transmission

However, Kikuchi et al, Heo and the reference cited in the IDS filed by the applicant after the case had been allowed which is an "Information Technology-Generic Coding of Moving Pictures and Associated Audio: Systems", published by Int'l Organization for Standardization, Nov. 1994, ISO/IEC 13818-1, fail to explicitly disclose a method of recording an encoded bit stream, the encoded bit stream representing a plurality of video objects comprising a sequence of cells together constituting a part of an MPEG 2 Program Stream on a disc like carrier, including an optical disc, the method comprising wherein recording at least a second series of contiguously arranged video objects constituting a second video object set and corresponding second management information on the disc, and wherein the at least two video objects are combined into a single video object set and the first and the at least second management information precedes the combined video object set.

Art Unit: 2616

Regarding claim 7, the invention relates to a method for recording encoded information signals on a novel and inventive format for DVD-Video compatible real-time recording of video streams, intended for home video recording on an optical medium which is playback compatible with DVD-Video.

The closest references Kikuchi et al (US 5,870,523) teach a recording medium on which a data containing navigation data is recorded, a method and apparatus for reproducing a data according to the navigation data, Heo (US 6,167,192) teaches a DVD disc, a device and a method for reproducing the same, including an audio private DVD disc, a device and method for reproducing the same, and the reference cited in the IDS filed by the applicant on 3/24/05 after the case had been allowed is an "Information Technology-Generic Coding of Moving Pictures and Associated Audio: Systems", published by Int'l Organization for Standardization, Nov. 1994, ISO/IEC 13818-1, addresses the combining of one or more elementary streams of video and audio, as well as other data, into single or multiple streams which are suitable for storage or transmission

However, Kikuchi et al, Heo, and the reference cited in the IDS filed by the applicant after the case had been allowed which is an "Information Technology-Generic Coding of Moving Pictures and Associated Audio: Systems", published by Int'l Organization for Standardization, Nov. 1994, ISO/IEC 13818-1, fail to explicitly disclose a recording apparatus for recording an encoded bit stream, representing a plurality of video objects comprising a sequence of cells together constituting a part of an MPEG 2 Program Stream, on a disc like carrier, including an optical disc, where the recording

Art Unit: 2616

apparatus comprises wherein the management information precedes the video object set and constitutes therewith a playable video title, and wherein the recording apparatus comprises system control means adapted to control recording of at least a second series of contiguously arranged video objects constituting a second video object set and corresponding second management information on the disc, and wherein the at least two video objects are combined into a single video object set and the first and the at least second management information precedes the combined video object set.

Conclusion


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher O. Onuaku whose telephone number is (571-272-7379). The examiner can normally be reached on M-F 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


COO

5/19/05.


James J. Groody
Supervisory Patent Examiner
Art Unit 262 2616